

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION

: Master File No. 12-md-02311
: Honorable Marianne O. Battani

THIS DOCUMENT RELATES TO:

All Actions

: END-PAYOR PLAINTIFFS, AUTO
: DEALER PLAINTIFFS, THE
: STATE OF FLORIDA, AND THE
: CITY OF RICHMOND'S
: *EX PARTE* MOTION FOR
: EXTENSION OF PAGES

Pursuant to Local Rule 7.1(d)(3), End-Payor Plaintiffs, Auto Dealer Plaintiffs, the State of Florida, and the City of Richmond (the “Moving Plaintiffs”), through their attorneys listed below, respectfully request that the Court grant them leave to file a single reply brief of no more than twenty-five pages in response to five of the briefs filed by Defendants in opposition to Moving Plaintiffs’ Motion to Coordinate All Actions In MDL 2311 (MDL Dkt. No. 703) in lieu of filing five separate replies at seven pages each.¹

¹ A group calling themselves the “Deferred Defendants” also filed a response in opposition to the Moving Plaintiffs’ Motion to Coordinate. (See Dkt. No. 713). The Deferred Defendants presented the unique argument that their respective actions should be severed from this Automotive Parts Antitrust Litigation and transferred to another judge. Since this particular response raised issues and arguments distinct and unique from the other five filed responses, the Moving

In support of their *ex parte* motion, the Moving Plaintiffs state that a total of six briefs were filed in response to the Moving Plaintiffs' Motion, five of which are relevant to this *ex parte* motion. (See MDL Dkt. Nos. 708, 710, 712, 714 and 715). There are many issues and arguments common to those five responses that the Moving Plaintiffs would prefer to address in a single reply. These issues and arguments are essential to this Court's complete evaluation of its Motion to Coordinate All Actions in MDL 2311. It would better serve the interests of judicial economy and the interests of the parties if the Moving Plaintiffs were permitted to file a single reply brief of no more than twenty-five pages in lieu of filing five separate reply briefs of seven pages each wherein the common issues and arguments would otherwise need to be segregated amongst those five reply briefs.

WHEREFORE, the Moving Plaintiffs respectfully request that the Court grant them leave to file one reply brief of twenty pages in response to the five response briefs identified above.

Respectfully submitted,

Dated: June 1, 2014

Frank C. Damrell, Jr.

Frank C. Damrell, Jr.

Steven N. Williams

Plaintiffs shall file a separate reply to the Deferred Defendants' response that will not exceed the page limits identified in the Local Rules.

Adam J. Zapala
Elizabeth Tran
COTCHETT, PITRE & McCARTHY, LLP
San Francisco Airport Office Center
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577
fdamrell@cpmlegal.com
swilliams@cpmlegal.com
azapala@cpmlegal.com
etran@cpmlegal.com

Hollis Salzman
Bernard Persky
William V. Reiss
ROBINS, KAPLAN, MILLER & CIRESI
L.L.P.
601 Lexington Avenue, Suite 3400
New York, NY 10022
Telephone: (212) 980-7400
Facsimile: (212) 980-7499
hsalzman@rkmc.com
bpersky@rkmc.com
wreiss@rkmc.com

Marc M. Seltzer
Steven G. Sklaver
SUSMAN GODFREY LLP
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067-6029
Telephone: (310) 789-3100
Facsimile: (310) 789-3150
mseltzer@susmangodfrey.com
ssklaver@susmangodfrey.com

Terrell W. Oxford
Warren T. Burns
SUSMAN GODFREY LLP

901 Main Street, Suite 5100
Dallas, TX 75202
Telephone: (214) 754-1900
Facsimile: (214) 754-1933
toxford@susmangodfrey.com
wburns@susmangodfrey.com

Interim Co-Lead Class Counsel for End-Payor Plaintiffs

/s/ E. Powell Miller
E. Powell Miller (P39487)
Adam Schnatz (P72049)
THE MILLER LAW FIRM
950 W. University Drive
Suite 300
Rochester, MI 48307
Telephone: (248) 841-2200
Facsimile: (248) 652-2852
epm@millerlawpc.com
ats@millerlawpc.com

Interim Liaison Counsel for End-Payor Plaintiffs

Don Barrett
David McMullan
Brian Herrington
Barrett Law Group, P.A.
P.O. Box 927
404 Court Square
Lexington, MS 39095
Telephone: (662) 834-2488
Email: dbarrett@barrettlawgroup.com
bherrington@barrettlawgroup.com
dmcmullan@barrettlawgroup.com

Jonathan W. Cuneo
Joel Davidow
Victoria Romanenko

Cuneo Gilbert & LaDuca, LLP
507 C Street, N.E.
Washington, DC 20002
Phone: (202) 789-3960
Fax: (202) 789-1813
Email: jonc@cuneolaw.com
Joel@cuneolaw.com
Vicky@cuneolaw.com

Shawn M. Raiter
Larson • King, LLP
2800 Wells Fargo Place
30 East Seventh Street
St. Paul, MN 55101
Telephone: (651) 312-6500
Email: sraiter@larsonking.com

Interim Co-Lead Class Counsel for Auto-Dealer Plaintiffs

Gerard V. Mantese (P34424)
David Hansma (P71056)
Brendan Frey (P70893)
Joshua Lushnat (P75319)
Mantese Honigman Rossman
and Williamson, P.C.
1361 E. Big Beaver Road
Troy, Michigan 48083
Phone: (248) 457-9200 ext. 203
Fax: (248) 457-9201
Email: gmantese@manteselaw.com
dhansma@manteselaw.com
bfrey@manteselaw.com
jlushnat@manteselaw.com

Interim Liaison Counsel for Auto Dealer Plaintiffs Plaintiffs

PAMELA JO BONDI
Attorney General

STATE OF FLORIDA

/s/ R. Scott Palmer

PATRICIA A. CONNERS
(Florida Bar No. 361275)
Associate Deputy Attorney General
Trish.Conners@myfloridalegal.com
R. SCOTT PALMER
(Florida Bar No. 220353)
Special Counsel for Antitrust Enforcement
Scott.Palmer@myfloridalegal.com
GREGORY S. SLEMP
(Florida State Bar No. 478865)
Greg.Slemp@myfloridalegal.com
TIMOTHY FRASER
(Florida Bar No. 957321)
Timothy.Fraser@myfloridalegal.com
Office of the Attorney General
State of Florida
PL-01, The Capitol
Tallahassee, FL 32399-1050
Tel: (850) 414-3300
Fax: (850) 488-9134

Counsel for the State of Florida

By: /s/ Lesley E. Weaver

Robert S. Green
James Robert Noblin
Lesley E. Weaver
Green & Noblin, P.C.
700 Larkspur Landing Circle
Suite 275
Larkspur, CA 94393
(415) 477-6700
gnecf@classcounsel.com
lew@classcounsel.com

Karen L. Morris

Patrick F. Morris
R. Michael Lindsey
Morris and Morris LLC
Counselors At Law
4001 Kennett Pike
Suite 300
Wilmington, DE 19807
(302) 426-0400
kmorris@morrisandmorrislaw.com
pmorris@morrisandmorrislaw.com
rmlindsey@morrisandmorrislaw.com

Counsel for City of Richmond

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION

: Master File No. 12-md-02311
: Honorable Marianne O. Battani

THIS DOCUMENT RELATES TO:

: [PROPOSED] ORDER
: GRANTING END-PAYOR
: PLAINTIFFS, AUTO DEALER
: PLAINTIFFS, THE STATE OF
: FLORIDA, AND THE CITY OF
: RICHMOND'S *EX PARTE*
: MOTION FOR EXTENSION OF
: PAGES

This matter having come before the Court on End-Payor Plaintiffs, Auto Dealer Plaintiffs, the State of Florida, and the City of Richmond's (the "Moving Plaintiffs") *Ex Parte* Motion for Extension of Pages, the matter having been reviewed, and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that the Moving Plaintiffs' Motion is **GRANTED**. The Moving Plaintiffs may file a single reply not to exceed twenty pages to the five responses identified in the Moving Plaintiffs' *ex parte* motion.

IT IS SO ORDERED.

Date:

/s/
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE